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June 18, 2009

Honorable Robert D. Drain  
Docket Number 05-444481 (RDD)  
United States Bankruptcy Judge- Southern District of NY  
One Bowling Green  
New York, NY 10004-1408

Dear Honorable Robert D. Drain,

I am objecting to Docket Number 05-44481 (RDD), which is the June 1, 2009 Master Disposition Agreement Article 9.5.11. This article declares that severance payments will be terminated upon the closing date, July 31, 2009. I object for the following reasons;

Severance payment entitlement is by contract, (Separation Agreement), that I made with Delphi in November of 2008.

I waived certain rights, one of them was not to sue General Motors or Delphi in exchange for severance payments as specified in my contract. I held my end of the contract and I want Delphi to hold their end up as well.

The contracts were entered during bankruptcy, after October of 2005.

After I signed the contract I felt I had a contract liability from Delphi not a provided benefit. This is a short term contract that needs be honored.

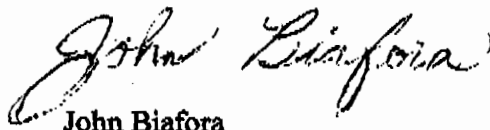
Every other benefit has been taken away or is going to be taken away by Delphi which includes my pension, which due to my age of 52 is very small for the amount I was promised. Also I may not collect from the PBGC since you need to be 55 years old to start participation.

In the event I knew these benefits would not be honored I could have obtained a better paying position in a far better economy then what we have right now. Currently Delphi is leaving all retirees in their early 50's looking for employers that will utilize our talents and provide some type of health care.

As you know cost for health care for an employee over 50 is substantially higher than an employee under 50 and the costs increase dramatically for those over 55 years of age.

In closing I need these severance payments to continue to pay for my health care and for Physical Therapies on my Down Syndrome son until my wife or I find employment. We have both been diligently looking for any type of employment throughout the country so that we can avoid unemployment assistance. However if these payments stop we will need to place both children on Medicaid and file for unemployment benefits adding to the increased economic problems that currently exists in our country.

Thank You for Your Time,

  
John Biafora